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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,916	11/04/2003	William J. Begley	86722AEK	8889

7590

04/12/2005

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EXAMINER

GARRETT, DAWN L

ART UNIT	PAPER NUMBER
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1774

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/700,916

Applicant(s)

BEGLEY ET AL.

Examiner

Dawn Garrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23, 25-28 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23, 25-28 and 31-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office action is responsive to the amendment dated January 11, 2005. Claims 9, 20, 21, 25, and 28 were amended. Claims 24, 29, and 30 are canceled. Claims 1-23, 25-28, and 31-33 are pending.
2. The suggestion to update the specification listed in paragraph 1 of the last Office action is withdrawn, because the suggestion was set forth in error by the examiner.
3. The objections to claims 20, 21, 24, 25, and 29 set forth in the last Office action, paragraph 2, are withdrawn due to the amendment and cancellation of claims 24 and 29.
4. The rejections over claims 9, 14, 25, and 28 under 35 USC 112, second paragraph, set forth in the last Office action, paragraphs 3-8, are withdrawn due to the amendment.
5. The rejection of claims 29 and 30 under 35 USC 102(b) as being anticipated by "A New Yellow Fluorescent Dopant For High-Efficiency OLEDs", 11th International Workshop On Inorganic And Organic Electroluminescence & 2002 International Conference On the Science And Technology Of Emissive Displays and Lighting, Sept. 2002, Session 4, E12002 Ghent, Ghent University, Ghent, Belgium by Wu et al. due to the cancellation of claims 29 and 30.
6. The terminal disclaimer filed on January 11, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of copending Application No. 10/701,241 has been reviewed and is accepted. The terminal disclaimer has been recorded.

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7. The provisional double patenting rejection set forth in the last Office action, paragraph 12, is maintained over claims 1-23, 25-28, and 31-33, because a terminal disclaimer for Application No. 10/700,894 has not been provided.

8. The indication of allowable subject matter set forth in the last Office action is withdrawn.

Claim Objections

9. Claim 28 is objected to because of the following informalities:

It is suggested that the word "and" be inserted prior to the last compound listed in claim 28 and a period be placed at the end of claim 28. Appropriate correction is required.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 5-9, 13-23, 25-28, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (JP 04-335087). Sato et al. discloses an organic electroluminescent element comprising a light-emitting hole injecting and transporting layer comprising a dopant naphthalene derivative according to formula (I) that comprises a substituent group such as an alkyl, aryl or aromatic ring that may be substituted (see Sato abstract). Although Sato et al. does not exemplify compounds with alkyl or non-aromatic carbocyclic groups according to the claimed formulas, it would have been obvious to one of ordinary skill in the art at the time of the invention to have selected naphthalene derivatives with the substituent groups for the Sato et al. device according to the presently claimed compounds, because Sato et al. generally teaches all

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the required substituents for naphthacene derivatives according to the instant claims. Because the Sato et al. naphthacene derivatives may have all the same substituents required by the presently claimed dopant compounds, the properties set forth in claim 25 are deemed to be inherently met by the Sato et al. compound(s). Sato et al. teaches the naphthacene derivative is doped into an amine compound per instant claims 22 and 23 (see par. 22). Sato et al. further teaches the amount of dopant with respect to the host material is in the range of 10^{-3} mol % to 10 mol % (see par. 25) with regard to claims 5, 6, 26, and 27.

12. Claims 2-4 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (JP 04-335087) in view of Lin et al. (US 2003/0099860 A1). Sato et al. is relied upon as set forth above. Sato et al. fails to teach a white light emitting device. Lin et al. teaches, in analogous art, white light emitting devices are desirable in the art and may be formed by combining red, blue, and green emitting colors to form a white light source (see par. 14). In addition, it is known in the art to use color conversion layers (filters) to convert light of different colors to white light (see par. 12). It would have been obvious to one of ordinary skill in the art to have made a white light emitting device by adding either a blue emitting compound to the Sato et al. device or a color filter, because Lin et al. teaches white light emitting devices are desirable in the art and addition of color layers or filters are ways of achieving white light emission.

Response to Arguments

13. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571)272-1523. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D.G.
April 7, 2005


DAWN GARRETT
PRIMARY EXAMINER